

# United States Senate

WASHINGTON, DC 20510-4606

September 24, 2014

SSCI# 2014-2856

**1028**

The Hon. Tom Wheeler  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554

Dear Chairman Wheeler:

I am writing regarding the FCC's upcoming selection of the Administrator for the Local Number Portability Administration (LPNA). My intention is not to sway the FCC's decision one way or another, but to urge you, as you make this important decision, to take into account the national security implications of this selection.

The LPNA's database is used to enable telephone company customers to retain their telephone number even if they switch carriers. It also is an important tool for authorized law enforcement and national security investigations, since the database must often be queried by law enforcement agencies as an initial step in determining which telephone company is associated with a particular telephone number. This is done so that any further investigative action or subpoena may be presented to the right company.

As the FBI has indicated, "law enforcement agencies require that their queries of the system maintained by the LNPA remain confidential so that a potential criminal will not learn that law enforcement is investigating them, which could result in an individual fleeing, destroying vital evidence of their criminal activity, or continuing to compromise national security." If a criminal or foreign intelligence entity under investigation should learn that the FBI is making queries about its telephone number, an investigation could be compromised before it even begins.

Given the large number of recent data breaches of U.S. commercial and government computers by malicious cyber actors, the security of the LPNA's database – including the ability to block potential cyber, insider, and other threats – is critical.

I therefore urge you to ensure that the solicitation and selection process for the database administrator, based upon which the FCC will make its selection, fully consider the national security and law enforcement implications that should be required in maintaining a database that is so important and sensitive – regardless of who is ultimately selected.

I look forward to your response.

Sincerely Yours,



Mark R. Warner  
U. S. Senate

CC: FBI Director James B. Comey, Jr.